

MOSER
PATTERSON &
SHERIDAN, LLP

ATTORNEYS AT LAW

RECEIVED
CENTRAL FAX CENTER
DEC 21 2004

3040 Post Oak Blvd. Suite 1500
Houston, TX 77056-6582
TEL 713.623.4844
FAX 713.623.4846
WWW.MPSLLP.COM

FACSIMILE COVER SHEET

DATE: December 21, 2004
FILE NO: ROC920010073US1
TO: Examiner Charles Rones
FAX NO: 703/872-9306
COMPANY: USPTO
FROM: Gero G. McClellan
PAGE(S) with cover: 12
ORIGINAL TO FOLLOW? YES NO

RESPONSE TO OFFICE ACTION DATED SEPTEMBER 29, 2004

U.S. SERIAL NO.: 09/970,352
FILING DATE: October 3, 2001
INVENTOR: Driesch et al.
EXAMINER: Charles Rones
GROUP ART UNIT: 2175
CONFIRMATION NO.: 1536

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Moser, Patterson & Sheridan, LLP, which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

326419_1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Driesch et al.

Serial No.: 09/970,352

Confirmation No.: 1536

Filed: October 3, 2001

For: Reduce Database Monitor
Workload by Employing
Predictive Query Threshold

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Group Art Unit: 2175

Examiner: Rones, C.

RECEIVED
CENTRAL FAX CENTER
DEC 21 2004

CERTIFICATE OF FAX
37 CFR 1.8
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to fax number (703) 872-9306 to the attention of Examiner Charles Rones, on the date below:
December 21, 2004
Date
Gero G. McClellan

RESPONSE TO OFFICE ACTION DATED SEPTEMBER 29, 2004

In response to the Office Action dated September 29, 2004, having a shortened statutory period for response set to expire on December 29, 2004, please enter this response and reconsider the claims pending in the application for reasons discussed below. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 09-0465, the fee of \$400.00 for the addition of two (2) dependent claims and for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/Arguments begin on page 7 of this paper.